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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/578,933	05/08/2006	Stephen Townsend	GB03 0201 US1	4533
65913	7550	11/04/2009		
NXP, B.V. NXP INTELLECTUAL PROPERTY & LICENSING M/S41-SJ 1109 MCKAY DRIVE SAN JOSE, CA 95131				
EXAMINER				
NGUYEN, NGA X				
ART UNIT		PAPER NUMBER		
3662				
NOTIFICATION DATE		DELIVERY MODE		
11/04/2009		ELECTRONIC		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

ip.department.us@nxp.com

### Office Action Summary

**Application No.**

10/578,933

**Applicant(s)**

TOWNSEND ET AL.

**Examiner**

NGA X. NGUYEN

**Art Unit**

3662

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 29 June 2009.  
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 1-20 is/are rejected.  
7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.  
10) ☒ The drawing(s) filed on 05 December 2008 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)  
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3) ☐ Information Disclosure Statement(s) (PTO-8508)  
Paper No(s)/Mail Date \_\_\_\_\_  
4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_  
5) ☐ Notice of Informal Patent Application  
6) ☐ Other: \_\_\_\_\_

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claim 1-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lennen (20070230545) in view of Brown (5379224).

With regard to claim 1, 9 & 17-20, Lennen discloses:

- GPS antenna, RF section (see Fig.1)
- A processor for outputting the GPS signal samples together with ancillary and/or the GPS signals which relate to the GPS receiver and contain IF signal which remains modulated (see page 3, paragraph 39)
- Wherein the ancillary information allows GPS signal processing software to adapt to characteristics of the GPS receiver (see page 3, paragraph 37-39)

Brown teaches:

- A GPS antenna and GPS RF front-end including an A/D converter for sampling received GPS signals (see column 5-6, lines 8-30)
- Wherein the resulting GPS signal samples contain an IF signal which remains modulated (see column 5, lines 30-57).
- Processing the GPS signal samples using the ancillary information to determine a position fix (see column 5, lines 46-61).

It would have been obvious to modify Lennen by incorporating the teaching of Brown's device RF front end including AD converter and the device output signals remained IF and modulated so as to provide the user GPS signals for processing and performing position information.

With regard to claim 2-6, Lennen teaches that the GPS signal samples and ancillary information is outputted to an external device. Wherein the ancillary information relating the type or identity, GPS signal of the GPS receiver (see page 3, paragraph 39)

With regard to claim 8, Brown teaches that a user input means with which the user is able to directly select one of a plurality of operating modes of the GPS receiver (see column 7, lines 1-15)

With regard to claim 10, Lennen teaches that the GPS signal is a spread spectrum signal and wherein the ancillary information is used to assisted depreading of the GPS signal (see page 3, paragraph 39).

With regard to claim 11, Lennen teaches the GPS signal samples and ancillary information are received from an external device (see page 39, paragraph 39)

With regard to claim 12 -14, Lennen teaches that the GPS signal samples and ancillary information are outputted to an external device. Wherein the ancillary information relating the type or identity, GPS signal of the GPS receiver (see page 3, paragraph 39)

With regard to claim 15, Lennen teaches that the ancillary information relating to the GPS samples received/output by the GPS receiver (see Fig.1)

With regard to claim 7 & 16, Lennen teaches that the ancillary information includes either the outputted GPS signal carrier frequency or bandwidth, the GPS signal sample

format, rate or resolution, the image sign, the oscillator type or oscillator stability parameters, or antenna type (see page 4-5, paragraph 49-55).

***Response to Amendment***

2. Applicant's arguments filed 06/29/2009 have been fully considered but they are not persuasive.

Applicant argues that Lennen and Brown do not teach:

With respect to claim 1,

- Typical software GPS system, GPS signal samples re-produced by a simplified receiver and passed to another device (e.g. a PC) for processing suitable GPS signal processing software.
- A processor for outputting the GPS signal samples together with ancillary information.

With respect to claim 9,

- Processing the GPS signal samples using the ancillary information to determine a position fix.

Response:

With respect to claim 1, Lennen teaches:

- A processor outputting the GPS signal samples together with ancillary and/or the GPS signals which relate to the GPS receiver and contain IF signal which remains modulated. The output signals is received by another microprocessor (see page 3, paragraph 39) which meets the claim.

With respect to claim 9, Brown teaches:

- Processing the GPS signal samples using the ancillary information to determine a position fix (see column 5, lines 46-61).

It would have been obvious to modify Lennen by incorporating the teaching of Brown's device RF front end including AD converter and the device output signals remained IF and modulated so as to provide the user GPS signals for processing and performing position information.

3. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **NGA X. NGUYEN** whose telephone number is (571)272-5217. The examiner can normally be reached on 8:00AM-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **TARCZA H. THOMAS** can be reached on (571) 272-6979. The fax phone

number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

NGA X NGUYEN  
Examiner  
Art Unit 3662

NXN

/Thomas H. Tarcza/

Supervisory Patent Examiner, Art Unit 3662